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3/6/03

OFF 2 11 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: Needleman, et al.

Atty. Docket 61765.00365  
No.:

Application No.: 09/386,591

Group Art Unit: 1646

Filed: August 31, 1999

Examiner: J.L. Andres

For: AN IMMUNOLOGICAL PROCESS AND  
CONSTRUCTS FOR INCREASING THE HDL  
CHOLESTEROL CONCENTRATION BY DNA  
VACCINATION

RECEIVED

FEB 24 2001

**REVOCATION AND POWER OF ATTORNEY**

TECH CENTER 1600/2600

The undersigned being the owner of all right, title and interest in the above-identified patent application, which is a continuation of application Serial No. 08/934,367 filed September 19, 1997 (see attached filing receipt), hereby revokes all previous powers of attorney in this case, if any, and hereby appoints Banner & Witcoff, Ltd., 1001 G Street, N.W., Suite 1100, Washington, D.C., 20001, telephone number (202) 824-3000, facsimile number (202) 824-3001, and Customer Number 22907, and the following attorneys thereof (of the same address) individually and collectively, its attorneys, to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent:

ALTHERR, Robert F.	31,810
HOSCHEIT, Dale H.	19,090
SKERPON, Joseph M.	29,864
WOLFFE, Susan A.	33,568

I also authorize Banner & Witcoff, Ltd. to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Banner & Witcoff, Ltd. on behalf of the owner.

**Certificate Under 37 C.F.R. §3.73(b)**

I hereby certify that MONSANTO COMPANY (now called PHARMACIA CORPORATION) is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment being attached.

I have reviewed the documents in the chain of title of the patent application identified above, and to the best of my knowledge and belief, title is in the aforesaid assignee for which I am empowered to act in this matter.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief

are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**PHARMACIA  
CORPORATION (formerly  
MONSANTO COMPANY)**

19 Feb 2003  
Date

By: J. Timothy Keane  
Name: J. Timothy Keane  
Title: \_\_\_\_\_

517022-1

J. Timothy Keane  
Chief Counsel & Sr. Director  
Pharmacia Corporation  
Global Intellectual Property  
St. Louis & Skokie Sites

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Philip Needleman and Kevin C. Glenh

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: October 1 and October 15, 1997

2. Name and address of receiving party(ies):

Name: Monsanto Company

Internal Address: \_\_\_\_\_

Street Address: 800 North Lindbergh Blvd.

City: St. Louis State: Missouri ZIP: 63167

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 08/934,367

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward P. Gamson, Esq.

Internal Address: WELSH & KATZ, LTD.

Street Address: 120 South Riverside Plaza  
22nd Floor

City: Chicago State: IL ZIP: 60606

6. Total number of applications and patents involved:

7. Total Fee (37 CFR 3.41) ..... \$40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number: 23-0920

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Edward P. Gamson, Esq.

Name of Person Signing

Signature

Date: November 25, 1997

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

Case No. MON-103.0  
(6221/69666)

## ASSIGNMENT

Return to:

Serial No. 08/934,367

J. Timothy Keane - O4E  
Monsanto Company  
800 N. Lindbergh Boulevard  
St. Louis, Missouri 63167

Filed 09/19/97

WHEREAS, We, Philip Needleman and Kevin C. Glenn of 326 New Salem Drive, Creve Coeur, Missouri 63141 and 1816 Pheasant Run Drive, Maryland Heights, Missouri 63043-2868, respectively, have invented certain improvements in AN IMMUNOLOGICAL PROCESS AND CONSTRUCTS FOR INCREASING THE HDL CHOLESTEROL CONCENTRATION BY DNA VACCINATION, identified as MON-103.0, and described in a Patent Application by us on the dates set after our signatures hereto; and

WHEREAS, Monsanto Company, of St. Louis, Missouri, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of Five Dollars (\$5.00), the receipt of which is hereby acknowledged, and other valuable consideration, we do hereby sell, assign and transfer unto said Monsanto Company, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any applications filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also any improvements on said invention or inventions now or hereafter made by us during the period of our employment; also the entire right, title and interest in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention, inventions, or improvements and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention, inventions, or improvements in this or any foreign country; and we hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Monsanto Company, as assignee of the entire interest.

We further agree, without any payment by Monsanto Company other than expenses incurred by the undersigned, to communicate to said Monsanto Company, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for interference purposes or for other legal proceedings, whenever requested; testify in any interference or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on the dates set after our signatures.

(L.S.) *Philip Needleman*, Oct 6, 1997  
Philip Needleman

(L.S.) *Kevin C. Glenn*, Oct 16, 1997  
Kevin C. Glenn

State of Missouri                    )  
  } ss.  
County of St. Louis                )

On this 15<sup>th</sup> day of Oct, 1997, before me personally appeared Philip Needleman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

*Ruth M. Houlihan*

My Commission expires 5-27-2001

Notary Public  
RUTH M. HOULIHAN  
NOTARY PUBLIC — STATE OF MISSOURI  
MY COMMISSION EXPIRES MAY 27, 2001  
ST. LOUIS COUNTY

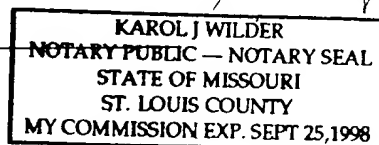
State of Missouri                    )  
  } ss.  
County of St. Louis                )

On this 16<sup>th</sup> day of Oct, 1997, before me personally appeared Kevin C. Glenn to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

*Karol J Wilder*

Notary Public

My Commission expires \_\_\_\_\_



FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MON-103.0 CON 1

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6787

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/386,591	08/31/99	1646	\$760.00	MON-103.0CON	0	8	1

WELSH & KATZ LTD  
120 SOUTH RIVERSIDE PLAZA 22ND FLOOR  
CHICAGO IL 60606

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) PHILIP NEEDLEMAN, CREVE COEUR, MO; KEVIN GLENN,  
MARYLAND HEIGHTS, MO.

CONTINUING DATA AS CLAIMED BY APPLICANT-

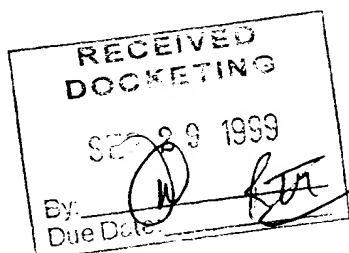
THIS APPLN IS A CON OF 08/934,367 09/19/97 7916  
WHICH IS A CIP OF 08/785,997 01/21/97 9917  
AND A CIP OF 08/788,882 01/21/97 7918

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/24/99

TITLE

IMMUNOLOGICAL PROCESS AND CONSTRUCTS FOR INCREASING THE HDL  
CHOLESTEROL CONCENTRATION BY DNA VACCINATION

PRELIMINARY CLASS: 536



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SEP 29 1999 11 19 59  
WELSH & KATZ LTD.

DATA ENTRY BY: FLEMING, JEREMY S. TEAM: 01 DATE: 09/24/99

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(See reverse for new important information)